

In re Patent Application of  
Moore et al.

Serial No. 09/812,703

### AMENDMENTS TO THE CLAIMS

Please amend the following claims as follows:

1. (Currently Amended) A method of collecting fees for managing and optimizing the profitability of a plurality of physicians in a healthcare practice participating in an insurance network, the method comprising the steps of:

establishing a relationship between a healthcare consultation group and the healthcare practice participating in the insurance network to increase the ~~physician's~~ plurality of physicians' profitability by reducing a risk of the healthcare practice not receiving a predetermined reimbursement amount for ancillary medical costs from the insurance network;

funding an incentive pool;

modifying behavior of at least one of the plurality of physicians in the healthcare practice for management of the ancillary medical costs;

~~to be paid to~~ paying funds from the funded incentive pool to the healthcare practice participating in the insurance network if the ancillary medical costs of the plurality of physicians in the healthcare practice do not decrease to a preselected level over a preselected period of time; and

distributing predetermined percentages of savings attributed to the modifying behavior of the plurality of physicians' ~~modified ancillary medical cost management behavior.~~

2. (Currently Amended) The method as defined in Claim 1, wherein the step of distributing the predetermined percentages of the savings includes dividing the savings into selected percentages between at least two of the healthcare consultation group, the healthcare practice, and the insurance network and distributing the savings to the at least two of the healthcare consultation group, the healthcare practice and the insurance network base on the selected percentages.

3. (Currently Amended) The method as defined in Claim 2, further comprising the step of collecting no fee by the healthcare consultation group if the healthcare practice does not reduce the ancillary medical costs to the preselected level over the predetermined period of time.

In re Patent Application of  
Moore et al.

Serial No. 09/812,703

4. (Original) The method as defined in Claim 3, wherein each of the respective predetermined percentages of savings distributed to the healthcare consultation group and the healthcare practice are greater than the predetermined percentage of the savings distributed to the insurance network, and wherein the step of funding the incentive pool includes the healthcare consultation group funding the incentive pool.

5. (Currently Amended) The method as defined in Claim 4, further comprises comprising the step of providing a billing fee structure from the healthcare consultation group wherein the savings are calculated by subtracting current ancillary medical costs from predetermined baseline ancillary medical costs.

6. (Currently Amended) The method as defined in Claim 5, further comprising the step of calculating the billing fee structure for the healthcare consultation group by multiplying a predetermined percentage of the savings by the number of patients participating in the healthcare practice.

7. (Original) The method as defined in Claim 1, wherein the ancillary medical costs include any costs taken from the group of pharmacy, radiology, laboratory, anesthesiology, occupational therapy, physical therapy, speech therapy, therapeutic radiology, operating room, or emergency room costs.

8. (Currently Amended) A method of collecting fees for managing ~~and optimizing the profitability of~~ a plurality of physicians in a healthcare practice participating in an insurance network, the method comprising the steps of:

establishing a relationship between a healthcare consultation group and the healthcare practice participating in the insurance network to ~~increase the physician's profitability by reducing~~ reduce a risk of the healthcare practice not receiving a predetermined reimbursement amount for ancillary medical costs from the insurance network;

funding an incentive pool;

~~to be paid to~~ establishing a plan to pay funds from the funded incentive pool to the healthcare practice participating in the insurance network if the ancillary medical costs of the

In re Patent Application of  
Moore et al.

Serial No. 09/812,703

plurality of physicians in the healthcare practice do not decrease to a preselected level over a preselected period of time;

modifying behavior of at least one of the plurality of physicians in the healthcare practice for management of the ancillary medical costs; and

distributing predetermined percentages of savings attributed to the modifying behavior of the plurality of physicians' modified ancillary medical cost management behavior if the ancillary medical costs decrease to the preselected level over the preselected period of time.

9. (Currently Amended) The method as defined in Claim 8, ~~further comprises wherein the step of funding an~~ the incentive pool includes the healthcare consultation group funding the incentive pool to be paid to the healthcare practice participating in the insurance network if the ancillary medical costs of the plurality of physicians in the healthcare practice do not decrease to a preselected level over a preselected period of time, wherein the modifying behavior of the plurality of physicians is responsive to recommendations of the healthcare consultation group, and the method further comprising the step of paying funds from the funded incentive pool only if the ancillary medical costs of the plurality of physicians in the healthcare practice do not decrease to a preselected level over a preselected period of time responsive to the modifying behavior.

10. (Currently Amended) The method as defined in Claim 9, wherein the step of distributing the predetermined percentages of the savings includes dividing the savings into selected percentages between at least two of the healthcare consultation group, the healthcare practice, and the insurance network and distributing the savings to the at least two of the healthcare consultation group, the healthcare practice and the insurance network base on the selected percentages.

11. (Currently Amended) The method as defined in Claim 10, further comprising the steps of collecting no fee by the healthcare consultation group if the healthcare practice does not reduce the ancillary medical costs to the preselected level over the predetermined period of time and providing a billing fee structure from the healthcare consultation group wherein the savings are calculated by subtracting current ancillary medical costs from predetermined baseline ancillary medical costs.

In re Patent Application of  
Moore et al.

Serial No. 09/812,703

12. (Currently Amended) The method as defined in Claim 11, wherein each of the respective predetermined percentages of savings distributed to the healthcare consultation group and the healthcare practice are greater than the predetermined percentage of the savings distributed to the insurance network, and wherein the ancillary medical costs include any costs taken from the group of pharmacy, radiology, laboratory, anesthesiology, occupational therapy, physical therapy, speech therapy, therapeutic radiology, operating room, or emergency room costs.

13. (Currently Amended) A method of collecting fees for managing and optimizing the profitability of an insurance network having a plurality of physicians in a healthcare practice participating therein, the method comprising the steps of:

establishing a relationship between a healthcare management consultation group and the healthcare practice participating in the insurance network to increase the insurance network's profitability by limiting the plurality of physicians' ancillary medical cost management behavior that is not preferred by the insurance network;

modifying behavior of at least one of the plurality of physicians in the healthcare practice for management of the ancillary medical costs; and

distributing predetermined percentages of savings attributed to the modifying behavior of the plurality of physicians' modified ancillary medical cost management to at least one of the insurance network and the healthcare management consultation group if the ancillary medical costs decrease to a preselected level over a preselected period of time.

14. (Previously Amended) The method as defined in Claim 13, further comprising funding an incentive pool to be paid to the insurance network if the modified medical management practices do not decrease ancillary medical costs of the insurance network to a preselected level over a preselected period of time.

15. (Currently Amended) The method as defined in Claim 14, wherein the step of distributing the predetermined percentages of the savings includes dividing the savings into selected percentages between at least two of the healthcare consultation group, the healthcare practice, and the insurance network and distributing the savings to the at least two of the

In re Patent Application of  
Moore et al.

Serial No. 09/812,703

healthcare consultation group, the healthcare practice and the insurance network base on the selected percentages.

16. (Currently Amended) The method as defined in Claim 15, further comprising the steps of collecting no fee by the healthcare consultation group if the insurance network does not reduce the ancillary medical costs to the preselected level over the predetermined period of time.

17. (Original) The method as defined in Claim 15, wherein each of the respective predetermined percentages of savings distributed to the healthcare consultation group and the insurance network are greater than the predetermined percentage of the savings distributed to the healthcare practice.

18. (Currently Amended) The method as defined in Claim 17, further ~~comprises~~ comprising the step of providing a billing fee structure from the healthcare consultation group wherein the savings are calculated by subtracting current ancillary medical costs from predetermined ancillary medical costs.

19. (Currently Amended) The method as defined in Claim 18, further comprising the step of calculating the billing fee structure for the healthcare consultation group by multiplying a predetermined percentage of the savings by the number of patients participating in the healthcare practice.

20. (Original) The method as defined in Claim 13, wherein the ancillary medical costs include any costs taken from the group of pharmacy, radiology, laboratory, anesthesiology, occupational therapy, physical therapy, speech therapy, therapeutic radiology, operatin groom, or emergency room costs.